

GOVERNMENT OF TELANGANA
ABSTRACT

Public Services – Police – Sri S.Shobha Singh, HC 1086 of CAR Hqrs, Hyderabad – Deemed retirement on attaining the age of superannuation on w.e.f. 31.12.2007 duly treating the out of employment period from 17.3.2006 to 31.12.2007 as 'on duty' under F.R. 54-A(3) - Orders - Issued.

HOME (SERVICES – II) DEPARTMENT

G.O.RT.No. 263.

Dated 30.09.2014

Read:-

From the Director General of Police, A.P. Hyderabad,
Letter Rc.No.372/Appeal-2/2014, dated 22.5.2014.

ORDER:

The Director General of Police, A.P. Hyderabad in his letter read above, has reported that Sri S.Shobha Singh, HC 1086 of CAR Hqrs., Hyderabad dashed a cyclist Sri B.Satyanarayana and others on 23.10.2012 at about 5:40 PM with Government vehicle No. ATU 5708 TATA Bus, driven by him. The injured persons were shifted to Osmania General Hospital, where the doctors declared Sri B.Satyanarayana as dead. A case was registered at Dabeerpura PS in Cr.No.140/2002 U/s 304-A, 337 IPC on 17.11.2002 and the said HC 1086 was arrested. The above criminal case has ended in conviction on 07.01.2005 and he had been sentenced to undergo simple imprisonment for six months by the Hon'ble XVth Metropolitan Magistrate Court, Hyderabad vide CC No.145/03, dated 7.1.2005. Consequent on conviction, Sri S.Shobha Singh, HC 1086 was "dismissed from service with immediate effect" in terms of clause (x) Rule (1) of rule 25 of APCS (CC&A) Rules,1991 by the C.P., Hyderabad City vide D.O.No.1488, dated 28.4.2006.

2. The Director General of Police, A.P. Hyderabad has further reported that Sri Shobha Singh, Ex.HC 1086 has filed an Appeal in the High Court of AP, Hyderabad and he was acquitted vide Criminal Revision Case No.541/2006, dated 17.07.2012. Basing on that, the HC made a representation dated 1.09.2012 with a request to treat his out of employment period w.e.f. 01.05.2006 to 31.12.2007 as on duty duly permitting to retire from service w.e.f. 31.12.2007 to draw pensionary benefits.

3. The Director General of Police, A.P. Hyderabad has also stated that Commissioner of Police, Hyderabad City, when obtained the legal opinion on the judgment dated 17.7.2012 of AP High Court in which the Ex.HC was acquitted in the Criminal Case, the Addl. Public Prosecutor, High Court in his letter No.27/2013 PS, dated 30.12.2013 informed that it is not a fit case to carry the matter in appeal to Supreme Court of India as the brake of vehicle had failed and there is no negligence on the part of the accused. Therefore, the Director General of Police, A.P. Hyderabad has requested the order of the Government as per Rule 9 of A.P. Revised Pension Rules with regard to request of the Ex.HC for settlement of his out of employment period w.e.f. 17.3.2006 (i.e., date of conviction) to 31.12.2007 and also orders to retire w.e.f. 31.12.2007 for drawing pensionary benefits.

4. After careful examination of the entire matter with reference to the records made available, Government have observed that the delinquency pertains to the year 11/2002 and the delinquent officer had already been attained the age of superannuation on 31.12.2007. The limitation period of (4) years prescribed in Rule 9(2)(b)(ii) of A.P. Revised Pension Rules, 1980 had elapsed by 5/2013. Hence, the disciplinary action can not be initiated against said Sri Shobha Singh, HC 1086 of CAR Hqrs, Hyderabad under Rule 9(2)(b)(ii) of A.P. Revised Pension Rules, 1980 at this juncture. Therefore, the out of employment period of the Individual w.e.f. 17.03.2006 to 31.12.2007 to be settled under FR 54-A(3).

5. Accordingly, Government hereby treat the out of employment period of Sri S.Shobha Singh, Ex.HC 1086 of CAR Hqrs., Hyderabad w.e.f. 17.03.2006 to 31.12.2007 as 'on duty' under F.R.54-A(3) and he is also ordered for deemed retirement from service on attaining the age of superannuation w.e.f. 31.12.2007, for drawing pensionary benefits.

6. The Director General of Police, Telangana, Hyderabad, is requested take necessary further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

AJAY MISRA
PRINCIPAL SECRETARY TO GOVERNMENT(FAC)

To
The Director General of Police, Telangana, Hyderabad.
The Individual concerned
through the Director General of Police, Telangana, Hyderabad.
SF/SC

//FORWARDED :: BY ORDER //

SECTION OFFICER